

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**UNITED STATES FOR THE USE AND
BENEFIT OF MID STATE
CONSTRUCTION COMPANY, INC; and
MID STATE CONSTRUCTION
COMPANY, INC.,**

Plaintiffs,

v.

**TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA; U.S.
COATING SPECIALTIES & SUPPLIES,
LLC; and EARL WASHINGTON**

Defendants.

**Civil Action No: 5:11-cv-00169-DCB-
MTP**

**PLAINTIFF, MID STATE CONSTRUCTION COMPANY, INC.'S, MOTION FOR
SUMMARY JUDGEMENT PURSUANT TO FED. R. CIV. P. 56**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Plaintiff, Mid State Construction Company, Inc. ("Mid State") respectfully moves for summary judgment on all claims it asserted against U.S. Coating Specialties & Supplies ("US Coating") and Earl Washington ("Washington"). Mid State is entitled to this relief for the reasons set forth more fully in its Memorandum of Law in Support of Motion for Summary Judgment, filed contemporaneously with this motion, and the following evidentiary exhibits attached hereto:

Exhibit A: Affidavit of William Ware

For the reasons set forth more fully in Mid State's Memorandum of Law, Mid State respectfully requests that the Court grant its Motion for Summary Judgment and enter judgment in its favor on all claims it asserted against US Coating and Washington.

RESPECTFULLY SUBMITTED, on June 11, 2013.

MID STATE CONSTRUCTION COMPANY, INC.

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CERTIFICATE OF SERVICE

I, the undersigned Bethany A. Tarpley, hereby certify that I have served the above and foregoing on all counsel of record via filing with the Court's electronic filing system. And have served the document on Earl Washington and US Coating:

Via E-Mail and U.S. Mail
Mr. Earl Washington, Individually and as
President/CEO for
U.S. Coating Specialties & Supplies, LLC
125 W. Mayes Street
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earlWASHINGTON@uscoatingspecialties.com

/s/ Bethany A. Tarpley
Bethany A. Tarpley